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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,879	01/18/2001	Brian Keith Schmidt	0007056-0058/P5318/BBC	9293

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EXAMINER

SHAW, JOSEPH D

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 05/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765,879

Applicant(s)

SCHMIDT, BRIAN KEITH

Examiner

Joseph D Shaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 4-6, 11-13 and 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-10, 14-17 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-3, 7-10, 14-17, and 21, drawn to a virtual namespace translations for an active computing environment, classified in class 709, subclass 245.

II. Claims 4-6, 11-13, and 18-20, drawn to a file system view, classified in class 707, subclass 1.

2. For purposes of this restriction, though claim 13 claims to be dependent on independent claim 8, this appears to be a typographical error since the claimed limitations further limit independent claim 11. Therefore claim 13 has been grouped with claim 11 accordingly.

3. The inventions are distinct, each from the other because of the following reasons:

a. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as name translation of resources in an active computing environment, outside of a file system view. See MPEP § 806.05(d).

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4. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

5. During a telephone conversation with Mr. Brian Berliner on May 3rd, 2004 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-3, 7-10, 14-17, and 21. Affirmation of this election must be made by applicant in replying to this Office action. Claims 4-6, 11-13, and 18-20 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 8, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Egevang et al. (The IP Network Address Translator).

b. As per claim 1, 8, and 15, Egevang teaches:

a virtual token configured to represent a resource capable of being named by an active computing environment (stub host A sends a packet to stub host B using the address 198.76.28.4, 198.76.28.4 is converted to the real address of the resource on the separate network; page 3, paragraph 2);

a name translator configured to be interposed between said resource and said active computing environment (stub routers with

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Network Address Translation; page 2, paragraphs 5-6; page 3, Figs. 1-2, paragraph 1);

a binder configured to bind said resource to said virtual token (stub router A replaces the local address for stub A with the corresponding class C address, so when stub B communicates back, it communicates back to stub A router, binding them; page 3, Fig. 2, paragraphs 1-2); and

a translator configured to translate said virtual token into said resource using said name translator, if named by said active computing environment (stub router B translates the address named by stub a, 198.76.28.4, into the address of the resource, 10.81.13.22).

c. As per claims 3, 10, and 17, Egevang discloses the claimed invention described above and furthermore teaches:

said virtual token only being identifiable from within said active computing environment (devices internal to a stub use a class A address with each other, however, a class C address is used to address devices from outside the stub and a translation is mad from class C to class A at the stub router; pages 3-4).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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9. Claims 2, 9, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Egevang et al. (The IP Network Address Translator) in view of Wong et al. (6,389,419).

d. As per claims 2, 9, and 16, Egevang discloses the claimed invention described above. However, Egevang does not explicitly teach the name translator being a hash table. Wong teaches:

a name translator being a hash table (hash tables are used to translate between foreign and global address in a NAT environment; col. 1, lines 30-45; col. 2, lines 18-42; col. 9, line 63 - col. 10, line 13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the hash table for translation, as taught by Wong, in the Egevang invention because both inventions relate to network address translation and hash tables are a well-known and often used method for associating data (i.e. the two addresses used in the translation) with each other in computer systems.

10. Claims 7, 14, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Egevang et al. (The IP Network Address Translator) in view of Gai et al. (6,651,096).

e. As per claims 7, 14, and 21, Egevang discloses the claimed invention described above. However, Egevang does not explicitly teach controlling access to said active computing environment. Gai teaches:

an access control list for controlling access to said active computing environment (access control lists may be established for both inbound and outbound traffic and border devices; col. 2, lines 41-57).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to include access control lists for controlling access to the active computing environment, as taught by Gai, in the Egevang invention because access control lists provide security to the active computing environment, as taught by Gai (provide security to the network; col. 2, lines 41-57).


Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Shaw whose telephone number is 703-305-0094. The examiner can normally be reached on Monday - Thursday and alternate Fridays, 7am - 4pm.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharra can be reached on 703-305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Joseph Shaw
Examiner
AU 2141


RUPAL DHARRA
SUPERVISORY PATENT EXAMINER